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Attorneys for Defendants

Laserscope and American Medical Systems, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DAVANZIA, S.L., a Spanish corporation,

Plaintiff,

vs.

LASERSCOPE, INC., a California
corporation, and AMERICAN MEDICAL
SYSTEMS, INC., a Minnesota corporation,

Defendants.

Case No. C07 00247 JF

STIPULATION RE: TIME TO
RESPOND TO THE COMPLAINT
AND FILE RULE 12 MOTION
PURSUANT TO CIVIL L.R. 6-2; AND
DATE FOR CASE MANAGEMENT
CONFERENCE

Courtroom: 3

Judge: Hon. Jeremy Fogel

1 Plaintiff Davanzia, S.L. (“plaintiff”) and Defendants Laserscope (incorrectly sued
2 herein as “Laserscope, Inc.”) and American Medical Systems, Inc. (“defendants”), by and
3 through their counsel, hereby agree and stipulate as follows:

4 **RECITALS**

5 1. Plaintiff served the First Amended Complaint on Defendants on February 6,
6 2007 and Defendants’ Answer is due on February 26, 2007.

7 2. Defendants intend to file a Rule 12 motion in response to the First Amended
8 Complaint and have scheduled a Rule 12 motion for hearing on April 27, 2007. The
9 plaintiff has agreed to this hearing date. The parties have further agreed on a briefing
10 schedule for this motion and said schedule complies with the requirements set forth under
11 Civil L.R. 7-2 and 7-3.

12 3. While the Defendants anticipate that their motion will go to the bulk of
13 Plaintiff’s claims, the parties have agreed that to the extent any claim or any portion of any
14 claim is not covered by the Rule 12 motion, no Answer needs to be filed by Defendants at
15 this time. The Defendants have agreed to file an Answer, Counterclaim and/or any other
16 response allowed under the rules to any remaining claims within ten (10) court days after
17 the e-filing of this Court’s ruling on its Rule 12 motion.

18 4. The parties have also agreed to ask this Court to reset the Case Management
19 Conference, originally scheduled for April 20, 2007, so that it will coincide with the
20 hearing date for the Rule 12 motion.

21 **STIPULATION**

22 NOW THEREFORE, all parties, through their respective counsel of record, agree
23 and stipulate to the following schedule, subject to the Court’s approval:

- 24 1. March 12, 2007: Defendants to e-file its Rule 12 motion.
25 2. April 3, 2007: Plaintiff to e-file opposition to the Rule 12 motion.
26 3. April 10, 2007: Defendants to e-file reply in support of its Rule 12 motion.
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4. April 27, 2007, 9:00 a.m.: Oral argument on the Rule 12 motion and Case Management Conference.

Dated: February 27, 2007. PILLSBURY WINTHROP SHAW PITTMAN LLP
VERNON H. GRANNEMAN
DIANNE L. SWEENEY
2475 Hanover Street
Palo Alto, California 94304

By /s/ Dianne L. Sweeney
Dianne L. Sweeney

Attorneys for Defendants
LASERSCOPE AND
AMERICAN MEDICAL SYSTEMS, INC.

Dated: February 27, 2007. OPPENHEIMER WOLFF & DONNELLY LLP
GARY HANSEN (*pro hac vice* application pending)
HEATHER N. HOECKE (*pro hac vice* application pending)
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Minneapolis, MN 55402

By /s/ Heather N. Hoecke
Heather N. Hoecke

Attorneys for Defendants
LASERSCOPE AND
AMERICAN MEDICAL SYSTEMS, INC.

Dated: February 27, 2007. DLA PIPER US LLP
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MARGARET CRAWFORD
2000 University Avenue
East Palo Alto, CA 94303-2214

By /s/ Bill Frimel
Bill Frimel

Attorneys for Plaintiff
DAVANZIA, S.L.

DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

1 I, DIANNE L. SWEENEY, hereby declare pursuant to General Order 45, § X.B,
2 that I have obtained the concurrence in the filing of this document from each of the other
3 signatories listed above.

4 I declare under penalty of perjury that the foregoing declaration is true and correct.
5 Executed on February 27, 2007, at Palo Alto, California.

6
7 /s/ Dianne L. Sweeney

8 **[PROPOSED] ORDER**

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10 March 2, 2007

11 Dated: ~~February~~-----, 2007.

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13 
14 Hon. Jeremy Fogel
15 United States District Judge
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